

MULTICULTURAL ALLIANCE FOR A SAFE ENVIRONMENT (MASE)

Core Groups:

Bluewater Valley Downstream Alliance
Milan

Dineh Bidzsil Coalition
Navajo Nation

Eastern Navajo Diné Against Uranium Mining (ENDAUM)
Churchrock and Crownpoint

Laguna-Acoma Coalition for a Safe Environment
Acoma and Laguna Pueblos

Post-71 Uranium Workers Committee
Grants

Affiliated Groups:

Amigos Bravos
Taos and Albuquerque

McKinley Community Health Alliance
Gallup

Moquino Mutual Domestic Water Consumers Association
Cebolleta

New Mexico Environmental Justice Working Group
Albuquerque

New Mexico Environmental Law Center
Santa Fe

Office of Peace, Justice and Creation Stewardship
Gallup

Partnership for Earth Spirituality
Albuquerque

Ramah Navajo Community
Ramah

Red Water Pond Road Community Association
Coyote Canyon Chapter

SAGE Council
Albuquerque

Sierra Club Environmental Justice Office
Flagstaff

Southwest Research and Information Center
Albuquerque

Stewards of Creation
Albuquerque and Gallup

June 22, 2009

Andrew Bain
Superfund Project Manager
U.S. Environmental Protection Agency
75 Hawthorne St. (SFD 6-2)
San Francisco, CA 94105

Dear Mr. Bain:

The Multicultural Alliance for a Safe Environment (MASE), a coalition of community-based groups and allied organizations working to address the Uranium Legacy and to promote sustainable development, has reviewed the public notice and fact sheet announcing availability of the Engineering Evaluation/Cost Analysis (EE/CA) for cleanup of the Northeast Church Rock Mine — the highest priority abandoned uranium mine on the Navajo Nation. Based on our initial review, we have three immediate requests of USEPA Region 9:

1. Grant an extension of the comment period on the EE/CA from July 13 to October 13, 2009.
2. Schedule and hold public information meetings and public hearings in Churchrock Chapter and in the city of Gallup, N.M.
3. Place copies of the EE/CA and other supporting documents in additional repositories, specifically at the Pinedale, Churchrock and Mariano Lake chapter houses and at the New Mexico Environment Department in Santa Fe.

Residents of the Red Water Pond Road community and their neighbors in surrounding chapters actively participate in MASE and sought MASE's assistance in responding to the release of the EE/CA. MASE intends to deliver this letter to you at the public meeting at Pinedale Chapter on June 23, and we will provide testimony at the July 7 public hearing. For now, we offer the following reasons for these requests:

First, the original 30-day comment period is far too short for the affected communities to provide informed comments. That EPA has been working on the EE/CA for two to three

years is immaterial. This is the first opportunity for the public to comment on the clean-up plan, and one month is simply too little time for the public to review and understand the clean-up alternatives. Furthermore, the principles of environmental justice require early and frequent participation of affected communities; the 30-day comment period thwarts this objective.

Second, the clean-up plan could affect a much larger segment of the local community than simply the Red Water Pond Road and Pipeline Road areas. If Alternative 2 is chosen, the entire Route 566 corridor from the mine site to Old Route 66 at Church Rock Village would be affected by several years of increased traffic of trucks hauling contaminated materials from the site. The truck traffic could affect the east side of the city of Gallup if the waste trucks take Exit 26 on Interstate 40. The communities of Iyanbito Chapter and Ft. Wingate would be affected if waste trucks are routed east on Old Route 66 to Interstate 40 at Exit 33. Furthermore, residents of the area say that few people who live near Rt. 566 have any information on the possibility that waste trucks would be traveling past their homes and businesses. Meetings and hearings in these communities are needed to properly inform and obtain participation from the affected residents. Even if EPA's preferred alternative, 5A, is selected, the larger community could be affected by the off-site and out-of-region transportation and disposal of the higher radiation wastes. Alternative 5A would create an even larger permanent radioactive waste disposal facility than already exists at the United Nuclear Corp. uranium mill tailings facility.

Third, wider distribution of the draft EE/CA is critical to informing the public about the cleanup. MASE stands firm in its support for addressing the Uranium Legacy by cleaning up abandoned uranium mines, restoring polluted water supplies and conducting needed population health studies. But government must fully inform the affected communities about all remediation plans before decisions are made. We do not believe that EPA has done this effectively for the NECR Mine cleanup.

With respect to the five clean-up alternatives, we agree with the Red Water Pond Road Community Association and with the Navajo Nation that on-site disposal is unacceptable and that the wastes must be removed from the site and the site returned to its pre-mining uses of grazing, timbering, and cultural practices. We will continue to review the EE/CA and will have more comments by the time of the public hearing on July 7.

If you have questions, please contact me at P.O. Box 82086, Albuquerque, NM 87198, or by phone at 505-240-3104 or by e-mail at mz.nadine@gmail.com.

Respectfully Submitted,



Nadine Padilla
MASE Coordinator

Xc: Red Water Pond Road Community Association
Navajo Nation EPA
Navajo Nation Department of Justice